

UNITED STATES OF AMERICA
POSTAL REGULATORY COMMISSION
WASHINGTON, DC 20268-0001

Before Commissioners:

Ruth Y. Goldway, Chairman;
Nanci E. Langley, Vice Chairman;
Mark Acton;
Tony Hammond; and
Robert G. Taub

Post Office Box Service Enhancements

Docket No. MC2012-26

ORDER GRANTING REQUEST FOR EXTENSION TO COMMENT DEADLINE

(Issued July 23, 2012)

In Docket No. C2012-1, the Associated Mail and Parcel Centers (AMPC) and 12 additional organizations (Complainants) jointly filed a complaint with the Commission concerning the Postal Service's introduction of enhanced services that it offers to post office box customers at certain retail locations.¹ The Postal Service filed a motion to dismiss the Complaint.² AMPC requested an extension of 15 days to respond to the Postal Service's Motion to Dismiss, which the Commission granted.³ In granting the Request for Extension, the Commission reminded AMPC of the need going forward to expeditiously ensure timely compliance with the required deadlines. Order No. 1315 at 2. In Order No. 1366, the Commission denied the Motion to Dismiss as to Complainants' claims under sections 3633 and 3642, and gave the Postal Service the

¹ Docket No. C2012-1, Complaint Regarding Postal Service Offering Enhanced Services Product for Competitive PO Boxes, March 15, 2012 (Complaint).

² Motion of the United States Postal Service to Dismiss Complaint, April 4, 2012 (Motion to Dismiss).

³ Request for an Extension to Answer, April 9, 2012 (Request for Extension); Order Granting Request for Extension to Answer, April 12, 2012 (Order No. 1315).

option of making an elective filing under 39 CFR 3020.30 concerning the enhancements to competitive Post Office Box service.⁴

The Postal Service announced it would file such a request on June 22, 2012, and on July 9, 2012, it filed an elective pleading to provide the Commission with additional information to aid in its review of the service enhancements.⁵ On July 12, 2012, the Commission issued Order No. 1401, noticing these proceedings, appointing a Public Representative, and providing an opportunity for public comment.⁶ The deadline for comments is July 31, 2012.

On July 19, 2012, AMPC filed a request to extend the comment deadline by 30 days, to August 30, 2012.⁷ In support of its Request, AMPC asserts that the service enhancements will have the greatest impact upon independent mail and parcel centers, which are businesses that it represents. Request at 1. It contends that owners of these businesses are busy and that the extra time will allow them to fully review the Postal Service's filing and to file written comments with the Commission. *Id.*

On July 20, 2012, the Postal Service filed an opposition to the Request.⁸ In its Opposition, the Postal Service contends that while it is sympathetic to the need to give small businesses adequate time to express their views, the Commission has already provided a sufficient amount of time for interested parties to submit comments. *Id.* at 2-3. The Postal Service notes that many private mailbox providers have already filed comments in this docket, well before the July 31, 2012 deadline. *Id.* at 2. It contends

⁴ Docket No. C2012-1, Order on Motion to Dismiss Holding Complaint in Abeyance Pending Further Proceeding, June 13, 2012, at 15 (Order No. 1366).

⁵ United States Postal Service Notice of Election to File in Docket No. MC 2012-26, June 22, 2012; Response of the United States Postal Service to Order No.1366, July 9, 2012.

⁶ Notice and Order Concerning Elective Filing Regarding Post Office Box Service Enhancements, July 12, 2012.

⁷ Request for Extension to Comment Deadline in MC2012-26, July 19, 2012 (Request).

⁸ Opposition of the United States Postal Service to AMPC's Request for Extension of Time to File Comments, July 20, 2012 (Opposition).

that AMPC has failed to show good cause for granting the Request for an extension of time. *Id.* at 3.

The Postal Service's offering of enhanced services has generated substantial concern among owners of mail and parcel centers. As the Postal Service notes, the Commission has already received comments from numerous owners of mail and parcel centers. The Commission is mindful, however, the need to balance the desire to provide parties with a sufficient opportunity to review the Postal Service's filing and to fully address all relevant issues with the need to ensure that proceedings are conducted without undue delay. And AMPC has already previously been reminded of the need to submit filings in a timely manner.

In order to permit interested parties with a sufficient opportunity to address all relevant issues, the Commission will extend the comment filing deadline. However, the 30-day extension that AMPC requests is more than is necessary. The Commission will extend the deadline in which to file comments by one additional week, to August 7, 2012. The deadline for filing reply comments will likewise be extended two weeks, to August 14, 2012.

It is ordered:

1. The Request for Extension to Comment Deadline in MC2012-26, filed July 19, 2012, is granted in part.
2. Comments concerning the Postal Service's filing are due no later than August 7, 2012.
3. Reply Comments are due no later than August 14, 2012.

By the Commission.

Shoshana M. Grove
Secretary